

MEETING AS04m 13:14
DATE 07.08.13

South Somerset District Council

Draft Minutes of a meeting of the **Area South Committee** held in the Council Chamber, Brympton Way, Yeovil, on **Wednesday 7th August 2013**

(2.00pm – 5.40pm)

Present:

Members: Tony Fife (In the Chair)

Cathy Bakewell	Andy Kendall
Tim Carroll	Pauline Lock
John V Chainey	Tony Lock
Marcus Fysh	Ian Martin
Nigel Gage	Wes Read
Dave Greene	David Recardo
Peter Gubbins	Gina Seaton

Officers:

Angela Cox	Democratic Services Officer
Kim Close	Area Development Manager South
David Norris	Development Control Manager
Simon Fox	Planning Officer
Jennie Roberts	Planning Officer
Lynda Pincombe	Community Health and Leisure Manager
Angela Watson	Legal Services Manager

32. Minutes of meeting held on 3rd July 2013 (Agenda Item 1)

The minutes of the Area South meeting held on 3rd July 2013 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

33. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Jon Gleeson, Graham Oakes, John Richardson and Peter Seib.

34. Declarations of Interest (Agenda Item 3)

Councillor Gina Seaton declared a personal and prejudicial interest in Agenda item 7, Planning Applications: 13/01869/OUT – Residential development, associated landscaping, open space and new vehicular access, Land adj Bunford Hollow Roundabout, West Coker Road, Yeovil, as her son owned a nearby garage and shop.

She confirmed that she would leave the room during discussion of the application.

Councillor Pauline Lock declared a personal interest in Agenda item 7, Planning Applications: 13/00541/OUT – Application for the renewal of extant permission 05/01416/OUT for the residential development of land, Goldcroft Allotments, Milford Road, Yeovil, as her company had a past interest in developing the land. She confirmed that she would take no part in the debate or voting on this item but would remain in the room.

Councillors John V Chainey, Tony Fife, Dave Greene, Peter Gubbins, Andy Kendall, Tony Lock, Wes Read and David Recardo all declared a personal interest in Agenda item 7, Planning Applications: 13/00541/OUT – Application for the renewal of extant permission 05/01416/OUT for the residential development of land, Goldcroft Allotments, Milford Road, Yeovil, as members of Yeovil Town Council, the applicants.

35. Public Question Time (Agenda Item 4)

There were no questions from members of the public present.

36. Chairman's Announcements (Agenda Item 5)

The Chairman asked that all mobile telephones be switched off.

37. Reports from Representatives on Outside Organisations (Agenda Item 6)

There were no reports from Councillors on outside organisations.

38. Planning Applications (Agenda Item 7)

13/01191/FUL – Replacement of existing Redgra area with a synthetic multi use surface, replacement and extension of existing fencing with new 3.06m high fencing, and the installation of 8x12m high floodlight columns and lights, Westfield Academy, Stiby Road, Yeovil

The Planning Officer presented the application as detailed in the agenda with the aid of a power point presentation of the site and proposed plans. He noted that members had viewed the site that morning and no substantial earthworks were envisaged as the level site already existed. Semi-evergreen trees or shrubs were to be planted to screen the site from neighbouring properties. He confirmed that there were no further updates since writing his report and that his recommendation was to approve the application.

In response to questions from Members, the Planning Officer and the Community Health and Leisure Manager confirmed that:-

- No traffic management survey had been submitted with the application and the applicant had confirmed that there were 30 parking spaces nearby.
- The Highway Authority had not raised any objections to the application.
- The Football Association had an issue with the size of the pitch proposed as it was not big enough for competitive senior football matches, however Sport England had not objected.

Mr R Meecham of Brympton Parish Council questioned the hours of access for community use as Condition 4 of approval limited the time which hockey could be played and Condition 6 said the pitch could not be used for any non-school, district or county league appointed fixture or organised tournament outside of the hours 9:00 to 18:00 on any day of the week.

The Planning Officer confirmed that the playing of hockey was time limited due to the particular noise which the sport generated and the Condition 6 was appropriate to this type of application due to the possible impact of spectator support noise at those types of events.

The Ward Member, Councillor Tim Carroll said the application was straightforward as the pitch already existed at the site. He said there would be some impact due to the floodlighting of the pitch however this was mitigated by the fencing, planting and restriction of hours of use.

The other Ward Members, Councillors Ian Martin and Wes Read also voiced their support for the application and asked that the existing natural tree and shrub screening be retained to protect nearby properties.

During discussion, members felt the wording of Condition 6 could be made clearer so that community groups were aware that the pitch was available in the evenings.

It was proposed and seconded to approve the application as per the officers' recommendation, subject to the amendment to Condition 6, and on being put to the vote was agreed unanimously.

Resolved:

Grant permission for the following reason:

01. The proposal maintains the visual characteristic of the area whilst safeguarding residential amenity and enhancing a recreational/sporting facility for school and community use in accordance with the aims and objectives of the National Planning Policy Framework (March 2012), Somerset County Council Parking Strategy (March 2012) and Policies ST5, ST6, ST9, EC3, EC8, EP2, EP3, EH10 and CR1 of the South Somerset Local Plan (adopted April 2006).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - a) Ordnance Survey, Drawing No. NSWA003c
 - b) Location Plan (Scale 1:200), Drawing No. NSWA002c, received 25 March 2013
 - c) Location Plan (Scale 1:500), Drawing No. NSWA002d, received 16 April 2013
 - d) Location Plan (Light Spill), Drawing No. NSWA002b, received 10 June 2013

e) Pitch layout and Fencing Cross Profiles, Drawing No. NSWA001

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The floodlights hereby permitted shall not be illuminated and the pitch shall not be used except between the hours of 08:30 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with the NPPF and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

04. Hockey is not to be played on the pitch hereby permitted except between the hours of 08:30 and 18:00 hours Monday to Friday and 09:00 and 18:00 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with the NPPF and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

05. Prior to the first use of the development hereby permitted full details of the floodlighting scheme inclusive of light pollution measures (cowling and shielding) shall be submitted to and approved by the Local Planning Authority. The lighting shall thereafter be fully installed in accordance with those approved details and any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure that local residents are afforded the same protection in perpetuity to accord with policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

06. The development hereby approved shall not be used for any appointed fixture (non-school, district or county league) or organised tournament outside of the hours 9:00 to 18:00 on any day of the week.

Reason: To safeguard residential amenity to accord with policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

07. Details of the acoustic fence to be installed along the eastern edge of the pitch and the ball damper board, to be installed around the perimeter of the pitch to mitigate the impact of hockey balls, plus rubber dampening grommets to fencing shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the first use of the facility hereby approved. The bottom of the proposed acoustic fence shall be set so as to be level with that of the finished floor level of the synthetic pitch.

Reason: To minimise any potential noise/light nuisance and disturbance to neighbours and the surrounding area to accord with the NPPF and policies ST6, EP2 and EP3 of the South Somerset Local Plan (adopted April 2006).

08. No works shall be carried out unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping; all planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the facility or the completion

of the development, whichever is the sooner; and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

09. Prior to the first use of the facility a surface water drainage scheme for the pitch, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first used. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system to accord with the objectives of the NPPF.

10. Prior to the first use of the facility hereby approved a scheme of ecological enhancement based on the recommendations of the submitted protected species assessment (Colmer Ecology Ltd, June 2013) shall have been submitted to and approved by the Local Planning authority and shall have been fully implemented in accordance with that approved scheme.

Reason: To enhance ecological biodiversity to accord with the aims and objectives of the NPPF.

Informatives:

01. With regards to Condition 08 the applicant is advised to consider the comments of the Council's Tree Officer, which are contained on the application file.

(Voting: unanimous in favour)

13/01477/FUL - The creation of an all-weather sports pitch with fencing and floodlighting, the re-levelling and re-orientation and levelling of existing football pitch using spoil from all-weather pitch excavations and associated works, Preston Academy, Monks Dale, Yeovil

The Planning Officer presented the application as detailed in the agenda with the aid of a power point presentation of the site and proposed plans. He noted that members had viewed the site that morning and were aware of the extent of the excavation and levelling required to achieve the all-weather sports pitch.

The Planning Officer also stated that since writing his report, the following updates had been received:

- The Highway Authority had raised no objections
- The application was supported by a Transport Plan

- The wildlife survey had been sent to the SSDC Ecologist who was satisfied that the application would not adversely affect nearby bats or badgers and he had confirmed there were no water voles present.
- Several letters from nearby residents had been received objecting to the proposed floodlighting, the lack of parking, the evidence of need for an artificial grass pitch, local harm to the environment, light and noise pollution, compensation and the objections raised by Yeovil Town Council.
- The objections previously raised by Sport England had been withdrawn.

In response to questions from Members, the Planning Officer and the Community Health and Leisure Manager confirmed that:-

- The proposed 2.1m high fence at the higher end of the all-weather sports pitch would mitigate light spill to the properties in White Mead.
- The Highway Authority had raised no objections to the application on the basis of the Travel Assessment which had been carried out by Pick Everard.
- The Needs Assessment within the Local Plan identified a shortfall of 1.79 artificial grass pitches within the district up to 2028, however, if the Yeovil Town Football Club pitch was disregarded then there was a need for a further pitch.

The committee were then addressed by Mr Francis, representing residents in Abbots Mead, Ms E Grunnill and Ms P Bolton who all spoke in objection to the application. Their comments included:-

- If the pitch was only to be used by the school then there was no need for floodlighting.
- The light pollution from the 15m floodlighting poles would be damaging to people living below them.
- Local wildlife was being ignored – slowworms, bats and badgers were present.
- The pitch could be sited on more level ground at Stratford Road.
- Tennis courts at the school were used for car parking but could be converted into an all-weather sports pitch.
- The site would be more visible to local residents in the winter when there were no leaves on the surrounding trees.
- Toilets were very distant from the site.
- Lack of consultation by the Academy with local residents.
- Residents objections were based on new noise and light pollution as the application would affect quality of life.
- The field is currently used for 8 hours per day but the proposed all-weather pitch would mean that it was used an additional 25 hours per week with more during school holidays.
- There could be up to 200 people each evening playing football with the associated noise and traffic of people to and from the site.
- This is an erosion of a green space which should be protected.

The committee were then addressed by Mr McNaught, the Chairman of the school governors and Mr P Grubb, the Agent for the application. Their comments included:-

- The school had recently received a 'good' overall rating by Ofsted inspectors and the school wished to raise this to 'excellent' in the future and sport was an important part of the plan to do this.
- The concerns of local residents were important to the school and they would work with them during the construction period and afterwards to protect their interests.

- Many schools were proposing all-weather sports pitches and Preston must not be left behind.
- The pitch would also be an asset for the local community.
- To avoid an overspill of cars into the local area, the pitch would not be open for use when other events, such as parents evenings were being held at the school.

The Ward Member, Councillor Ian Martin said that he had visited the site on many occasions and car parking was always an issue. He felt the additional sport facility would exacerbate the issue and he said he was not convinced the school could cope with the parking required.

The other Ward Members, Councillors Tim Carroll and Wes Read also voiced their concerns that local residents may have to live with the parking consequences of the application. Councillor Tim Carroll proposed that the application be deferred for specific detail on car parking and further clarification from the Highway Authority and this was seconded by Councillor Martin.

During discussion, members expressed concern at the lack of parking available at the school, the lack of Highway Authority comments on the application, the potential additional noise nuisance to local residents, the condition of approval restricting community use and the size of the excavation works to achieve the all-weather sports pitch.

The proposal to defer the application for further specific detail on car parking and further clarification from the Highway Authority was put to the vote and was carried (13 in favour; 0 against and 2 abstentions).

Resolved:

That the application be deferred for the further clarification from the Highway Authority as to their comments submitted on the application regarding car parking at the site and transport issues.

(Voting: 13 in favour, 0 against, 2 abstentions)

13/00541/OUT – Application for the renewal of extant permission 05/01416/OUT for the residential development of land, Goldcroft Allotments, Milford Road, Yeovil

The Development Control Manager reminded Members that the site, owned by Yeovil Town Council, had been granted outline planning permission in 2010 and the application was to renew that permission. A Reserved Matters application had recently been submitted indicating 29 properties to be built on the site. He said the loss of the allotment land already accepted in the previous permission and therefore his recommendation was to grant planning permission subject to an acceptable Section 106 planning obligation.

The Ward Member, Councillor Peter Gubbins said there was no change from the previous application and he proposed that it be approved.

This proposal was seconded and, there being no debate, the application was unanimously approved as per the officers' recommendation subject to the appropriate Section 106 planning obligation.

Resolved:

That application 13/00541/OUT be approved subject to:

(a) the prior completion of a section 106 planning obligation (in a form acceptable to the Councils Solicitor) before the decision notice granting planning permission is issued, the said planning obligation to cover the following:

- (i) The provision of 35% affordable housing.
- (ii) Prior to the occupation of any dwelling, the provision of new and upgraded public transport infrastructure on both sides of Milford Road close to the development site in accordance with details to be approved by the County Highway Authority.
- (iii) Prior to the occupation of any dwelling, the provision of new and appropriate pedestrian crossing close to the development site in accordance with details to be approved by the County Highway Authority.

01. The proposal, in outline, by reason of its location and its juxtaposition with existing built form represents appropriate infill where a development could result that would not cause demonstrable impact upon residential amenity or upon the character and appearance of the area, subject to the approval of Reserved Matters and would not foster growth in the need to travel, in accordance with the aims of objectives of the National Planning Policy Framework and policies ST5, ST6, ST10, EC8, TP1, TP4, TP7, HG1, HG4, CR2, CR12 and EP5 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. Approval of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. The submitted details are indicative only and do not form part of the application and nothing in this permission shall be constructed as giving approval to the details shown on the plan accompanying the application hereby approved.

Reason: To avoid doubt as to the development authorised and to accord with saved policies ST5 and ST6 of the South Somerset Local Plan.

05. No works shall be undertaken unless details of foul and surface water drainage details to serve the development, have been submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure the site is properly drained and to prevent the pollution of the water environment and to accord with saved policies ST5 of the South Somerset Local Plan.

06. No works shall be undertaken unless details of a safe and appropriate means of access (including visibility splay, geometry and alignment) has been constructed in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said Authority.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the South Somerset Local Plan.

07. The development hereby permitted shall not be occupied until a footway/cycleway link has been constructed linking to Valley Close to the south east of the site and/or the playing field to the north east of the site, in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said authority.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the South Somerset Local Plan.

08. The existing vehicular access to the west of the site frontage (serving the rear of properties in Goldcroft) shall be stopped up, its use permanently abandoned and the footway crossing reinstated, with an alternative route being created through the development site in accordance with details which shall have been submitted to an approved in writing by the Local Planning Authority. Such works shall be completed concurrently with the new vehicular access hereby permitted first being brought into use.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the South Somerset Local Plan.

09. The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before the construction begins. For this purpose, plans and sections, indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interest of highway safety and in accordance with saved policy ST5 of South Somerset Local Plan.

10. The proposed road, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is

occupied shall be served by a properly consolidated and surface footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the South Somerset Local Plan.

11. No works shall be undertaken until:
- a) A desk study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed then using this information:

- b) A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways, and receptors should be produced.
- c) A site investigation should be designed for the site using this information and any diagrammatical representation (Conceptual Model). Designs should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements
- d) The site investigation should be undertaken in accordance with details approved by the Local Planning Authority and a risk assessment should be undertaken.
- e) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation should be submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

Reason: To prevent the pollution of the water environment and to accord with saved policy EP5 of the South Somerset Local Plan.

12. No works shall be undertaken (including any ground works or site clearance) until details of a survey and mitigation scheme to avoid harm to slow worms and badgers has been submitted to and approved in writing by the Local Planning Authority.

Such a scheme should include a survey for the presence of slow worms and badgers by a suitably qualified person, at an appropriate time of year (usually April to September for slow worms). and using appropriate techniques. Unless such a survey concludes with reasonable certainty that slow worms or badgers are unlikely to be affected, then details of the scheme should include:

For slow worms:

- Methods for the safe trapping and translocation of slow worms from areas where there are likely to come to harm from construction activities.

- Identifying refuge or reception area for slow worms and providing protection to these area from 'construction activities'.
- Methods for preventing slow worms from re-entering areas where they are likely to come to harm from construction activities'.

For badger:

- Provision to allow badgers continued safe access to main foraging/feeding area.
- Retention of main setts (or in rare cases provision of alternative artificial setts) and measures to ensure disturbance is kept to a minimum.

For both:

- Provision of information to all construction personnel about the scheme, including nature conservation and legal implication.

Resurvey after 12 months:

If the development does not commence within the period of 1 year from the date of the most recent wildlife surveys, then a further survey shall be commissioned to ascertain any changes in slow worm or badger presence or activity before work commences.

Such surveys shall be submitted to the Local Planning Authority and approved in writing before work commences along with any further mitigation proposals that may be necessary as a result any significant changes in slow worm or badger activity.

Reason: For the protection of a legally protected species to accord with saved policy EC7 of the South Somerset Local Plan.

Informatives:

01. Having regard to the powers of the Highway authority under the Highways Act 1980, the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Somerset County Council, South Somerset Area, Mead Avenue, Houndstone Business Park, Yeovil BA22 8RT. Application for such Permit should be made at least three weeks before access works are intended to commence.
02. The applicant is advised that the Highway Service Manager, Somerset County Council, South Somerset Area, Mead Avenue, Houndstone Business Park, Yeovil BA22 8RT, must be consulted with regard to the required reinstatement of the verge/footway crossing at the access, which is to be closed.
03. It is recommended that the developer investigate the use of the Sustainable Drainage Systems (SuDs) for the surface water drainage on this site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include:
 - a) Interception and refuse
 - b) Porous paving/surfaces
 - c) Infiltration techniques
 - d) Detention/attenuation
 - e) Wetlands

(Voting: unanimous in favour)

13/01869/OUT – Residential development, associated landscaping, open space and new vehicular access, Land adj Bunford Hollow Roundabout, West Coker Road, Yeovil

(Councillor Gina Seaton, having earlier declared a personal and prejudicial interest, left the room during consideration of this item)

The Planning Officer presented the application as detailed in the agenda with the aid of a power point presentation of the site and proposed plans. He also stated that since writing his report, the following updates had been received:

- The Somerset County Council Archaeologist had commented on the geophysical survey of the site and thought there was probable evidence of a hill fort. He recommended trial trenching of the site to check for further evidence prior to agreeing the decision to approve.
- The Highway Authority was supportive of the development and had suggested several additional conditions, some of which had been incorporated into the conditions of approval.
- Condition 2 of approval required minor amendment to clarify when the access to the site should be completed.

In response to questions from Members, the Planning Officer and Development Control Manager confirmed that:-

- Whilst some of the proposed Highway Authority conditions were accepted and included in the conditions of approval, some were covered by other conditions and some were so technical that they could potentially create an enforcement position. Others were more appropriate to be brought forward at the Reserved Matters stage of development.
- The lack of a 5 year land supply for housing within the district was confirmed by the Spatial Policy team although it should not be a determining factor of the application.
- A pedestrian refuge/island in the middle of the A30 was proposed.
- A public right of way would require a minor diversion around the boundary of the site and it would link down the hill to the proposed business park.
- The existing 30mph speed limit on the A30 would be moved further to the west.

Mr A McPhee of West Coker Parish Council said the open presentation to local residents by the applicants had been helpful, as was the Planning Officer's visit to the Parish Council meeting. The proposed pavement along the A30 was welcomed however concern was expressed at the increase in traffic which this and other developments would bring.

Mr A Harwood of West Coker Road said that he had seen the traffic increasing along the A30 for a number of years and the application would only add to this. Access onto the A30 from Nash Lane was difficult for local traffic and he did not feel that widening the road would help.

The Ward Member, Councillor Cathy Bakewell advised that she had attended the exhibition by the applicants and felt the site was reasonably laid out. She welcomed the addition of the footpath along the side of the A30 and the moving of the traffic speed limit further west.

During discussion, the majority of Members were in favour of the application, however, some questioned the weight which should be given to the emerging Local Plan and the

reference to the lack of a 5 year land supply for housing within the district. The Legal Services Manager confirmed that the emerging Local Plan did accrue weight as it progressed towards adoption, however, given the current period of suspension following the Examination in Public, in her opinion the emerging policies still only carried minimal weight. As regards land supply, she advised that the Council's current stated position was that it did not have a 5 year supply and the effect of that under the NPPF needed to be taken into account when members determined this application. However, she advised that it was not for the Committee to analyse the detail of the housing supply figure in determining this particular application.

Councillor Marcus Fysh expressed his concern at the increase in traffic in the area which the application would generate and the omission of a condition on site management as recommended by the Highway Authority. He also expressed his concern at the response to his question on the Council's 5 year land supply and he proposed that the application be deferred, however, this fell for the lack of a seconder.

The officer's recommendation to approve the application was then proposed and seconded, and, on being put to the vote was carried (voting: 11 in favour, 4 against, 0 abstentions).

Resolved:

Grant planning permission for the following reason subject to receipt of no adverse comments regarding archaeology and highways, subject to:

- (a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following:
 - (i) The provision of Affordable Housing comprising 35% affordable housing split 67:33 in favour of social rent with access to further public subsidy. Based on 80 dwellings this would require 28 units to be affordable 19 social rent and 9 shared ownership or other intermediate solutions - with an indicative mix of 1x5bed, 1x4bed, 8x3bed, 12x2bed and 6x1bed, all to the satisfaction of the Council's Strategic Housing Manager;
 - (ii) Community, Health Service and Leisure contributions towards outdoor playing space, sport and recreation facilities (as detailed in the consultations section of this report), all to the satisfaction of the Council's Community, Health and Leisure unit based on a formula of £6,350.41 per dwelling;
 - (iii) The provision of the on-site LEAP and youth facilities, capital revenue contributions for developing and maintaining the facilities, with appropriate trigger points;
 - (iv) The provision of landscaping and open space to include:
 - a) Design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
 - b) Maintenance period
 - c) Street trees
 - d) Commuted sums
 - e) Transfer
 - (v) Enhancement of the bus stop (raised kerbs and DDA compliant) and provision of a bus shelter at the existing bus stop on West Coker Road, with a commuted sum for maintenance of the shelter;
 - (vi) Residential travel plan and sustainable travel incentives;
 - (vii) Education contribution towards to the provision of primary school places based on the formula of 30 places per 150 dwellings @ £12,257 per place

- with appropriate trigger points;
 - (viii) Education contribution towards to the provision of secondary school places based on the formula of 30 places per 210 dwellings @ £18,469 per place with appropriate trigger points;
 - (ix) Index linking of all financial payments, and
 - (x) A planning obligation monitoring fee (20% of the planning fee).
- (b) The imposition of the planning conditions set out below on the grant of planning permission.
01. The Council cannot demonstrate a 5-year housing land supply. Yeovil is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting or functioning of the town. Despite being Grade I agricultural land the proposal, in outline, by reason of its location on the periphery of a sustainable settlement, its juxtaposition with existing built form and its scale represents an appropriate and logical rounding-off where a development could result that would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area, or setting of the Brympton d'Evercy Registered Historic Park and Garden subject to the approval of Reserved Matters and would not foster growth in the need to travel, in accordance with the aims of objectives of the National Planning Policy Framework, and policies ST3, ST5, ST6, ST8, ST10, EC1, EC3, EC8, EH8, EP1, EU4, TP1, TP2, TP5, HG4, HG7, CR2, CR3, CR4 and CR9 of the South Somerset Local Plan (adopted April 2006).

SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).
02. The vehicular access hereby permitted shall be laid out in accordance with Drawing No.12604/T04 RevC (Hydrock Consultants, Proposed Vehicular Access Arrangement) prior to the commencement of works to erect any dwelling hereby approved.
- Reason: In the interests of highway safety to accord with policy ST5 of the South Somerset Local Plan (adopted April 2006).
03. The application for approval of the reserved matters shall indicate:
- a) Materials to be used for the external walls and roofs;
 - b) Materials to be used for rainwater goods;
 - c) The design (including joinery details where appropriate), type of material, plus proposed colour and finish of all windows and doors plus recesses;
 - d) Details of eaves/verges;

- e) Location and design details of all vents, flues and meter boxes;
- f) Details of all internal and external boundary treatments; and
- g) The surfacing materials (and drainage details thereof) of all areas of hardstanding incl. driveways.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

04. The application for approval of the reserved matters shall include details of the finished floor levels and resulting ridge heights of the buildings to be erected on the site.

Reason: In the interests of the visual and residential amenity of the area, in accordance with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

05. The application for approval of the reserved matters shall make provision for a scheme of badger proof fencing within residential boundaries adjoining the woodland areas to the east and north of the site. The scheme shall include details of materials, height above ground and depth below ground, and a plan of the location and extent of fencing. The fencing shall be installed in accordance with the approved details.

Reason: For the protection of residential amenity from significant nuisance problems caused by badgers to accord with the National Planning Policy Framework and policy EC8 of the South Somerset Local Plan (adopted April 2006).

06. Prior to commencement of each significant stage of ground works, an updated survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species to accord with the National Planning Policy Framework and policy EC8 of the South Somerset Local Plan (adopted April 2006).

07. The application for approval of the reserved matters shall include a detailed surface water run-off management scheme. Unless otherwise agreed by the Local Planning Authority, the proposed surface water drainage scheme shall accord with section 5.2 and Appendix D of the submitted Hydrock Flood Risk Assessment dated April 2013. The submitted details shall also clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal to comply with the National Planning Policy Framework.

08. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer

has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtain written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

09. The application for approval of the reserved matters shall include a sound insulation scheme to mitigate traffic noise identified in the submitted Noise Assessment (SPL Acoustics-March 2013). Thereafter the scheme shall be fully implemented as part of the development and following its installation shall be permanently retained and maintained. The agreed scheme shall detail the following:
- Size and position of acoustic barriers.
 - Predicted effectiveness of acoustic barriers.
 - Maintenance arrangements of acoustic barriers.
 - Orientation and layout of dwellings.
 - Sound insulation measures of individual dwellings.
 - Predicted effectiveness of sound insulation measures in individual dwellings.

Reason: To safeguard residential amenity to accord with policies ST6 and EP1 of the South Somerset Local Plan (adopted April 2006).

10. The application for approval of the reserved matters shall include a strategy for the long-term management of the wooded areas to the east and north/north-east of the site.

Reason: To ensure landscape features are suitably managed in close proximity to residential development so as to avoid liveability issues and neighbour resentment to accord with policy ST6 and EC3 of the South Somerset Local Plan (adopted April 2006).

11. The application for approval of the reserved matters shall include the following tree protection and planting details:
- a) A layout plan of the below-ground drainage & services to be installed;
 - b) A Tree Survey, Tree Protection Plan and Arboricultural Method Statement relating to all retained trees and hedges on or adjoining the site, so as to conform to British Standard 5837: 2005 - Trees in relation to construction; which shall include:
 - i. A layout and specification of tree and hedge protection fencing
 - ii. Special protection and engineering measures for required access, installation of built structures, below-ground services, drainage and hard-surfacing within the Root Protection Areas of retained trees
 - iii. A schedule of compliance-monitoring for the duration of the construction phases of the development (inclusive of landscaping & dismantling of tree protection fencing)

Upon approval by the Local Planning Authority, the tree protection scheme shall be implemented in its entirety for both the duration of the construction of the development.

Reason: To preserve the health, structure and amenity value of retained trees to comply with the National Planning Policy Framework.

12. The application for approval of the reserved matters shall include
- a) Measures to promote sustainable construction based on the undertaking made in the letter dated 22 July 2013.
 - b) A strategy for the storage and collection of domestic recycling and refuse. Such a scheme shall include the locations of collection points (communal if necessary).

Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.

13. No development shall be undertaken until the access generally in accordance with Drawing No.12604/T04 RevA (Hydrock Consultants, Proposed Vehicular Access Arrangement) has been implemented in accordance with detailed specifications to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted April 2006).

14. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted April 2006).

15. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include pollution prevention measures, construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity to accord with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

16. The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety.

Informatives:

01. The applicant is advised that depending on the size of the proposed dwellings at the reserved matters stage the respective number of parking spaces and

requirements for bicycle storage shall be determined in accordance with the Somerset County Council Parking Strategy (March 2012), or any subsequent strategy that revokes it.

02. Landscaping is a reserved matter and the applicant is advised that within the scheme of landscaping proposed a scheme of tree planting detailing the successful establishment of container-grown trees, their sizes, locations, species and timing of planting be included.
03. The applicant is advised to note the recommendations contained within the Extended Phase 1 Ecological Assessment and demonstrate their execution in the application for reserved matters.
04. The applicant is advised to consult a suitably qualified ecologist at an early stage when working up the layout of the development at the reserved matters stage so that the impact on badgers can be fully considered.
05. The applicant is reminded of the letter to the LPA from the Environment Agency dated 05 June 2013 in which advice is given regarding flood risk, sustainable construction, pollution measures during development and waste management. A copy of this letter is viewable on the planning application file.

(Voting: 11 in favour, 4 against, 0 abstentions)

10/04822/FUL – Single storey sales and cafe extension to north elevation, in-fill extension under existing canopy to east elevation, single storey extension to south elevation and warehouse extension to west elevation with part first floor mezzanine plant room with associated works to external areas and car park, Morrisons, Lysander Road, Yeovil

The Planning Officer advised that the application had been deferred with the agreement of the applicants to allow further discussion between the agent and the Highway Authority.

13/01923/ADV – The display of 2 No. externally illuminated fascia signs, 2 No. non illuminated entrance signs, 2 No. non illuminated welcome/goodbye signs and 3 No. non illuminated car parking signs, Picketty Witch, 147 Ilchester Road, Yeovil

The Planning Officer presented the report as detailed in the agenda, with the aid of a power point presentation of the site and proposed signs. She advised that due to objections from the Highway Authority who felt the signs would be a distraction to passing motorists, the application was before Members for consideration. She noted the key considerations were whether the signs were in keeping with the character of the area and whether they prejudiced public safety.

Mr M Roe, Agent for the applicants, said the signs proposed were in use at most Tesco Express stores and were at low level to direct traffic in and out of the site.

The Ward Member, Councillor Tim Carroll said the application was straightforward and as the signs had been amended he had no objections. He proposed that permission be granted and this was seconded by Councillor Ian Martin.

There being no debate, the proposal to approve the application was put to the vote and was carried (voting: unanimous in favour).

Resolved:

Grant consent for the following reason:

01. The proposal, by reason of its size, scale, design and illumination would be in keeping with the building and respects the character and appearance of the surrounding area and does not prejudice public safety in accordance with the aims and objectives of The National Planning Policy Framework (March 2012) and Policies ST5, ST6 and MS7 of the South Somerset Local Plan 2006 and adopted Supplementary Planning Guidance - Design of Shop Fronts: Signs and Security Measures.

SUBJECT TO THE FOLLOWING:

01. (a) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

(c) Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) Before any advertisement is displayed on land in accordance with the consent now granted, the permission of the owner of that land, or of a person entitled to grant such permission, shall be obtained.

(e) The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with the Town and Country Planning (Control of Advertisement) Regulations 2007.

02. The development hereby permitted shall be carried out in accordance with the application form and following approved plans:

Drawing numbers: 121593/AP131 Revision E date stamped as received 26 June 2013

121593/AP130 Revision A date stamped as received 15 May 2013

121593/AP132 Revision C date stamped as received 10 June 2013

Car park signage details date stamped a received 15 May 2013

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The illumination hereby approved shall only be switched on during the store's opening hours.

Reason: In the interests of the residential amenity of nearby properties, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

Informatives:

01. It is brought to the attention of the applicant that the display of any further signage not subject of this advertisement application is likely to require further consent and is likely to be resisted by the Local Planning Authority.

(Voting: unanimous in favour)

13/02350/FUL – The erection of a single storey orangery/extension to rear and a front entrance porch, 41 Raleigh Road, Yeovil, Somerset

The Planning Officer presented the application as detailed in the agenda. She advised that the application was before the Committee because the applicant was related to a staff member within the planning service. The permitted development rights of the property had been removed under the properties original planning consent.

The Ward Member, Councillor Pauline Lock said that there was plenty of room for the single storey extension and it would not impact upon neighbouring properties. She proposed the officers recommendation to approve the application and this was seconded.

There being no debate, the proposal to approve the application was put to the vote and was carried (voting: unanimous in favour).

Resolved:

Grant consent for the following reason:

01. The proposal, by reason of its siting, design, materials, scale, mass and bulk, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated in section 10 of the submitted application form.

Reason: For the avoidance of doubt and in the interests of visual amenity, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

03. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans no 1-6, date-stamped 30/05/2013.

Reason: For the avoidance of doubt and in the interests of proper planning.

(Voting: unanimous in favour)

13/02088 – Change of use and conversion of barn to holiday let/seasonal workers accommodation (revised application), Hyde Farm, Sutton Bingham, Yeovil

The Development Control Manager presented the application as detailed in the agenda. He listed the key considerations as highway safety, farm diversification and contribution to the tourist economy, visual impact and landscape and alterations to a listed building. He said the Highway Authority had objected to the application because they required 120m visibility splay at the entrance to the farm but only 80m could be achieved. Although the speed limit for the road was 60mph in reality vehicles only travelled at 40mph and therefore the recommendation was to approve the application.

One of the Ward Members, Councillor Gina Seaton, said there was no record of accidents along the road and she proposed that the application be approved.

The other Ward Member, Councillor Cathy Bakewell confirmed that it was a rural road and was not dangerous and seconded the application for approval.

There being no debate, the proposal to approve the application was put to the vote and was carried (voting: unanimous in favour).

Resolved:

Grant consent for the following reason:

01. The proposal, due to its design, materials and use, would preserve the character and appearance of the listed building, and the significance of this heritage asset, would safeguard residential amenity, would not result in a severe impact on highway safety and would provide new tourist accommodation or seasonal worker accommodation consistent with its location, in accordance with the aims and objectives of policies ST3, ST5, ST6, EH3, EH5, EH6, ME5 and ME10 of the South Somerset Local Plan (Adopted April 2006) and the advice contained within the National Planning Policy Framework 2012.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan received on 24 May 2013, Block Plan received 28 June 2013, Section and Construction details and Elevations, Roof Plan

and Existing Floor Plan received 24 May 2013, and Sight Lines and Stopping Distances received 19 July 2013.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. No development hereby approved shall be commenced unless details of the design, materials and external finish for all new doors, windows, boarding and lintels have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

04. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

05. No development hereby approved shall be commenced unless details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

06. No development hereby approved shall be commenced unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

07. No development hereby approved shall be commenced unless details of all new external fixtures have been submitted to and approved in writing by the Local Planning Authority. This shall include details of any metre boxes, lighting, signage and TV / satellite dishes. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

08. No development hereby approved shall be commenced unless details of the finish of the new metal flue have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the flue shall have a matt black finish.

Reason: In the interests of the special architectural and historic interests of the listed building and in accordance with policies ST6 and EH3 of the South Somerset Local Plan (Adopted April 2006).

09. The accommodation hereby permitted shall be occupied for holiday purposes only or by agricultural seasonal workers employed on Hyde Farm and such occupation shall not exceed a continuous period of 56 days and the building shall not be occupied as a person's sole or main residence. The site operator or owner shall maintain an up to date register of the names of all owners/occupiers of the accommodation hereby permitted on the site and of their main home addresses, and the duration/purpose of their stay and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: The unit is not suitable as permanent residential accommodation given its proximity to a working farm, the need for a limited curtilage to protect the setting of the listed building and the surrounding landscape and because the Local Planning Authority wish to ensure the accommodation is available for tourism or seasonal worker accommodation in accordance with policies EC3, EH5, ME5, ME10 and EH6 of the South Somerset Local Plan 2006.

10. The parking and turning spaces shown on the approved plan shall be kept available at all times for use by the occupants of the accommodation hereby approved.

Reason: In the interests of highway safety and to accord with policy ST5 of the South Somerset Local Plan 2006.

Informatives:

01. The applicant should note that the garden area associated with the barn conversion must be limited to that shown on the approved plans. Any extension of this area would require planning permission for the change of use of the land and such a planning application would be unlikely to be supported.

(Voting: unanimous in favour)

13/00558/DPO – Application to discharge requirements to Strategic Sports contribution in relation to planning approval 08/05133/FUL, Larkhill Garage Site, Yeovil, Somerset

The Development Control Manager presented the application as detailed in the agenda. He advised that all local Section 106 contributions towards local play, open space youth and off-site recreation had been made but the applicants were asking to discharge the requirement to pay towards strategic leisure contributions.

During discussion, varying views were expressed. Some members felt that as a viability check had been completed by the SSDC development valuer then the application must be accepted, whilst others felt that the applicant had agreed to the liability at the time and to

agree to discharge the liability could lead to the ending of any future strategic leisure contributions from such housing schemes.

The officer's recommendation to discharge the specific strategic contributions from the planning obligation were proposed and seconded, however, on being put to the vote the motion was lost (voting: 6 in favour, 8 against).

Resolved:

The application to discharge requirements to strategic leisure contribution in relation to planning approval 08/05133/FUL is **refused** on the basis that the provision to vary Section 106 obligations was only intended to allow stalled development to come forward and these units are built and occupied and as such there is no justification for allowing an applicant to reduce their obligations at this stage.

(Voting: 8 in favour, 6 against)

13/00564/DPO – Application to discharge requirements to Strategic Sports contribution in relation to planning approval 09/02228/FUL, Land at Greenhill Road, Yeovil

The Development Control Manager advised that, similar to the previous application, all local Section 106 contributions towards local play, open space youth and off-site recreation had been made but the applicants were asking to discharge the requirement to pay towards strategic leisure contributions.

The Legal Services Manager cautioned Members that the applicants would have a right of appeal if the application was refused and therefore they must be able to justify any refusal.

During discussion, Members questioned how the applicants could demolished 20 existing houses and garages and replace them with 38 houses and so questioned how the applicant could demonstrate that the site had not been sufficiently viable to be unable to meet the strategic leisure contributions of £22,308.

It was proposed and seconded to refuse the application and on being put to the vote the proposal was carried (voting: 13 in favour, 2 against, 1 abstention).

Resolved:

The application to discharge requirements to strategic leisure contribution in relation to planning approval 09/02228/FUL is **refused** on the basis that the provision to vary Section 106 obligations was only intended to allow stalled development to come forward and these units are built and occupied and as such there is no justification for allowing an applicant to reduce their obligations at this stage.

Voting: 13 in favour, 2 against, 1 abstention)

13/00553/DPO – Application to discharge requirements to Strategic Sports contribution in relation to planning approval 09/03801/FUL, Land at St Georges Avenue, Yeovil

The Development Control Manager advised that, similar to the previous applications, all local Section 106 contributions towards local play, open space youth and off-site recreation had been made but the applicants were asking to discharge the requirement to pay towards strategic leisure contributions.

During discussion, Members noted that not all the housing at the site was affordable. They also noted that the applicants had demolished 51 existing houses and flats and had replaced them with 46 flats and 56 houses and so questioned how the applicant could demonstrate that the site had not been sufficiently viable to be unable to meet the strategic leisure contributions.

It was proposed and seconded to refuse the application and on being put to the vote the proposal was carried (voting: 13 in favour, 2 against, 1 abstention).

Resolved:

The application to discharge requirements to strategic leisure contribution in relation to planning approval 09/03801/FUL is **refused** on the basis that the provision to vary Section 106 obligations was only intended to allow stalled development to come forward and these units are built and occupied and as such there is no justification for allowing an applicant to reduce their obligations at this stage.

(Voting: 13 in favour, 2 against, 1 abstention)

39. Area South Committee Forward Plan (Agenda Item 8)

The Area Development Manager (South) noted that a report on the A30 - Yeovil Eastern Corridor Improvement Scheme was due to be discussed by the Committee in October 2013. However, she advised that she had met with staff from Somerset County Council the previous day, who had presented plans to replace the footbridge over the A30 at Tesco stores in Yeovil and also proposed some amendments to the Police and Hospital roundabouts at either side of the dual carriageway through the town. She regretted that the County Council appeared to present the plans as a fait-accomplis as they wished to commence the works in October 2013, therefore allowing no time for consultation.

In view of this, she asked for Members to set up a Working Group to look at the proposed plans as a considerable sum of money would be involved in the works. Councillors David Recardo, Peter Gubbins, Nigel Gage, Tim Carroll, Gina Seaton and Tony Fife agreed to be part of the Working Group.

The Area Development Manager (South) also advised that a Community Safety report and a Somerset Community Justice Panel would be added to the Area South Forward Plan.

Councillor Pauline Lock reported that she had recently attended an event at The Foyer in Yeovil and had been impressed by the work of the young people who lived there. She suggested that either a visit to the site be arranged or representatives be invited to attend a future meeting of the Area South Committee to talk about the work of the organisation.

- RESOLVED:**
- (1) that the Area South Forward Plan and the comments of Members be noted.
 - (2) that the reports identified by Members be added to the Area South Forward Plan.

(Voting: Without dissent)

*Jo Boucher, Democratic Services Officer (01935) 462011
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Chairman